

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NORTH DAKOTA  
SOUTHWESTERN DIVISION**

Dale Joseph Burke,	)	
	)	
Plaintiff,	)	<b>ORDER RE PRETRIAL SCHEDULING/ DISCOVERY PLAN</b>
	)	
vs.	)	
	)	Case No. 1:07-cv-004
North Dakota Department of	)	
Corrections and Rehabilitation,	)	
	)	
Defendant.	)	

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In lieu of conducting an initial pretrial scheduling/discovery conference in this case pursuant to Rule 16(b) of the Federal Rules of Civil Procedure and having the parties confer prior to the conference,

**IT IS HEREBY ORDERED** that each of the parties shall separately submit to the court a proposed pretrial plan by August 27, 2007. The proposed pretrial plan should cover any applicable items listed in the attached sample as well as any other items appropriate in this case. All deadlines in the proposed pretrial plan must lapse within fourteen months of the date of filing of the Complaint in this case. The plans should not be filed with the court, but submitted the Magistrate Judge at P.O. Box 670, Bismarck, ND 58502-670 or emailed to [ndd\\_J-Miller@ndd.uscourts.gov](mailto:ndd_J-Miller@ndd.uscourts.gov). Upon receipt and review of the proposed plans, the court will establish a pretrial case management plan and will schedule the trial for this matter.

Dated this 26th day of July, 2007.

/s/ Charles S. Miller, Jr.  
Charles S. Miller, Jr.  
United States Magistrate Judge